have already been implemented by the concerned authorities. As per the decision taken in the Law Ministers' conference held in October 1992 at Bangalore, three working groups of State Law Ministers have been constituted to suggest measures for the implementation of the recommendations of the Arrears Committee so as to expedite the disposal of pending cases in the Courts.

(e) Government is endeavouring to increase the judge strength, to improve the service conditions of the judges and to help the judiciary in general to improve their functioning. Steps such as grouping of cases involving common question of law, giving priority to cases requiring quick disposal, constitution of specialised benches etc., have been undertaken by the High Courts. The Supreme Court have taken steps to expedite hearing of cases by re-arranging the business of the Court, grouping of cases involving common issues, use of computer, etc.

Appointment of Judges on the advice of Chief Justice of India

480. SHRI VIREN J. SHAH :

SHRI PRAMOD MAHAJAN :

Will the PRIME MINISTER be pleased to state :

(a) the number and the names of judges of the High Courts and the Supreme Court appointed during 1991-92 and so far in 1993 on the advice of the Chief Justice of India ;

(b) the details of case in which the advice of the Chief Justice of India had not been followed by Government and the reasons therefor in each case;

(c) what steps Government have taken to avoid any conflict between the judiciary and the executive in the matters relating to appointment of Judges of the Supreme Court and appointment and transfer of Judges of High Courts ;

(d) whether any guidelines have been issued in this regard; and

(e) if so, what are the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) The particulars of Judges of the High Courts and the Supreme Court appointed during 1991-92 and so far in 1993 are given in the Statement I and II respectively. (See below). Of the appointments made during 1991-92 and so far in 1993 in the High Courts, all except one, were made on the advice of the Chief Justice of India. During this period, recommendations of Chief Justice of India for appointment of 9 persons as High Court Judges were not accepted. It would not be in public interest to disclose the reasons.

In the Supreme Court during this preiod all appointments were made on the advice of the Chief Justice of India.

(c) to (e) Appointment of Judges of the Supreme Court and High Courts are made in terms of relevant provisions of the Constitution of India. It may also be mentioned that the Government have accepted as a policy, recommendations of the Law Commission, in its 80th Report that there should be a convention according to which 1/3rd of Judges in each High Court should be from any other State. The Government decided that this may be implemented either by making initial appointments from outside or by effecting transfers. The policy guidelines in connection with appointment of Chief Justices of High Courts from outside were issued through a Press Note in January 1983, which is contained in Statement III.

STATEMENT I

(Year 1991)

Sr. No.	Name of Judge	Name of High Court
1	2	3
1.	D.M. PATNAIK	ORISSA
2.	B.N. DASH	ORISSA
3.	ALI MOHAMAD MIR	JAMMU & KASHMIR
4.	B. DIKSHIT	ALLAHABAD
5.	S. SINGH	ALLAHABAD
6.	K.M. PANDAY	ALLAHABAD
7.	P.S. PATANKAR	BOMBAY
8.	H.S. BRAR	PUNJAB & HARYANA
9.	J.L. GUPTA	PUNJAB & HARYANA
10.	N.K. KAPOOR	PUNJAB & HARYANA
11.	G.C. GARGA	PUNJAB & HARYANA
12.	N.K. SODHI	PUNJAB & HARYANA
13.	V.K. BALLI	PUNJAB & HARYANA
14.	V.K. JHANJI	PUNJAB & HARYANA
15.	H.S. BEDI	PUNJAB & HARYANA
16.	B.S. NEHRA	PUNJAB & HARYANA
17.	H.K. SANDHU	PUNJAB & HARYANA
18.	C.M. NAYAR	DELHI
19.	J.K. MEHRA	DELHI
20.	D.C. BHANDRI	DELHI
21.	SATPAL	DELHI
22.	D.K. JAIN	DELHI
23.	M. SHAMIM	DELHI
24.	K.K. USHA	KERALA
25.	S.S. RATHOR	PUNJAB & HARYANA
26.	C. SHIVAPPA	KARNATAKA
27.	L.S. PANTA	HIMACHAL PRADESH
28.	K.S. CHATTOPADHYAYA	PATNA
29.	A.N. CHATURVEDI	PATNA
30.	N.D. VYAS	BOMBAY
31.	S.H. KAPADIA	BOMBAY
32.	M.L. KAUL	JAMMU & KASHMIR
33.	A.Q. PARRAY	JAMMU & KASHMIR
34.	V.K. SINGHAL	RAJASTHAN
35.	R. BALIA	RAJASTHAN
36.	R.P. SAXENA	RAJASTHAN
37.	D.N. BARUAH	GAUHATI
38.	S.B. ROY	GAUHATI
39.	N.G. DAS	GAUHATI
40.	A.G. RAO	ANDHRA PRADESH
41.	B.S. REDDY	ANDHRA PRADESH
42.	B.C. SAKSENA	ALLAHABAD
43.	K. SINGH	ALLAHABAD
44.	S.P. SHRIVASTAVA	ALLAHABAD

1	2	3
45.	V. BAHUGUNA	ALLAHABAD
46.	S. DIKSHIT	ALLAHABAD
47.	A.B. SHRIVASTAVA	ALLAHABAD
48.	K. SHARMA	ALLAHABAD
49.	A.P. SINGH	ALLAHABAD
50.	M. KATJU	ALLAHABAD
51.	C.S. MISHRA	PATNA
52.	R.M. PRASAD	PATNA
53.	N. ROY	PATNA
54.	S. AHSAN	PATNA
55.	A. DAS	PATNA
56.	R.V. VASAVTHAKUMAR	KARNATAKA
57.	L.S. REDDY	KARNATAKA

(Year 1992)

Sr. No.	Name of Judge	Name of High Court
1	2	3
1.	S.G. MUTALIK	BOMBAY
2.	A.K. BANERJI	ALLAHABAD
3.	H.N. TILHARI	ALLAHABAD
4.	S.R. MISRA	ALLAHABAD
5.	V. SARAN	ALLAHABAD
6.	B.K. SINGH	ALLAHABAD
7.	S.N. AGGARWAL	ALLAHABAD
8.	OM PRAKASH	ALLAHABAD
9.	A.N. GUPTA	ALLAHABAD
10.	S.K. VERMA	ALLAHABAD
11.	A.S. TRIPATHI	ALLAHABAD
12.	I.S. MATHUR	ALLAHABAD
13.	J.P. SEMWAL	ALLAHABAD
14.	D.R. REDDI	ANDHRA PRADESH
15.	M.B. NAIK	ANDHRA PRADESH
16.	S.K. JAIN	PUNJAB & HARYANA
17.	P.A. MOHAMMED	KERALA
18.	P.K. IYER BALASUBRAMANYAN	KERALA
19.	M.V. TAMASKER	MADHYA PRADESH
20.	A.R. TIWARI	MADHYA PRADESH
21.	P.P. NAOLEKAR	MADHYA PRADESH
22.	R.K. PANTRA	ORISSA
23.	D.K. JAIN	MADHYA PRADESH
24.	R.P. AWASTHY	MADHYA PRADESH
25.	V.P. GOEL	ALLAHABAD
26.	S.N. SAXENA	ALLAHABAD
27.	G.S.N. TRIPATHI	ALLAHABAD
28.	M.C. AGGARWAL	ALLAHABAD
29.	A.K. DUTTA	CALCUTTA

1	2	3
30.	N.K. BHATTACHARYA	CALCUTTA
31.	N.K. BATBABYAL	CALCUTTA
32.	R. BHATTACHARYYA	CALCUTTA
33.	S.N. CHAKRABARTY	CALCUTTA
34.	R.K. NEHRU	PUNJAB & HARYANA
35.	G. SHARMA	PATNA
36.	N.K. SINHA	PATNA
37.	L.N. PARASAD	PATNA
38.	K.N. KURUP	KERALA
39.	M.M. POYANIL	KERALA
40.	S.M.A. MOHAMED	MADRAS
41.	C.V. GOVARDHAN	MADRAS
42.	V. RENGASWAMY	MADRAS
43.	R.K.R. PENUMETCHA	ANDHRA PRADESH
44.	S.V. MARUTHI	ANDHRA PRADESH
45.	B.N. NAIK	BOMBAY
46.	U.T. SHAH	BOMBAY
47.	N.B. ASTHANA	ALLAHABAD
48.	V.S. SIRPURKAR	BOMBAY
49.	R.M. SAKHARAM	BOMBAY
50.	S. BANERJEE	CALCUTTA
51.	N.A. CHOWDHARY	CALCUTTA
52.	A.K. CHAKRAVARTY	CALCUTTA
53.	N.N. BHATTACHARYA	CALCUTTA
54.	S.N. MALLICK	CALCUTTA
55.	A.P. SHAH	BOMBAY
56.	V.K. JAIN	DELHI

(Year 1993)

Sr. No.	Name of Judge	Name of High Court
1.	G.V.L.N. RAO	ANDHRA PRADESH
2.	A.J. SADASHIVA	KARNATAKA
3.	K.H.N. KURANGA	KARNATAKA
4.	R.V. RAVEENDRAN	KARNATAKA
5.	S. VENKATARAMAN	KARNATAKA
6.	A. MADAN	DELHI
7.	K.J. JOSEPH	KERALA
8.	S.D. RAMAREDDY	ANDHRA PRADESH

Statement II

List of Judges of the Supreme Court Appointed During 1991-92 and in 1993

Sr. No.	Name of Judge
1.	Shri Justice Yogeshwar Dayal
2.	Shri Justice S. Mohan
3.	Shri Justice B.P. Jeevan Reddy
4.	Shri Justice G N. Ray
5.	Shri Justice A.S. Anand
6.	Shri Justice R.C. Patnaik
7.	Shri Justice N.P. Singh
8.	Shri Justice S.P. Bharucha
9.	Shri Justice N. Venkatachala

Statement III

Pursuant to persistent demand from responsible bodies, the Government have, after considering various aspects of the matter and after consulting the Chief Justice of India, decided to adopt a policy of having Chief Justices of all High Courts from outside and to keep in view certain broad guidelines when implementing this policy. These guidelines are as follows :—

(i) For purposes of elevations as Chief Justices the inter se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Courts and, subject to suitability, they will be considered for appointment as Chief Justices in other High Courts when their turn would normally have come for being considered for such appointment in their own High Courts.

(ii) A Chief Justice who has only one year or less to retire may not be transferred to another High Court.

(iii) A puisne Judge in a High Court who has one year or less to retire when his turn for being considered for elevation as Chief Justice arrives may, subject to suitability, be considered for appointment as Chief Justice in his own High Court if a vacancy is to occur in the office of the Chief Justice in that High Court during that period.

While implementing the aforesaid policy the appointments/transfers shall be made in accordance with the provisions of Article 217 or Article 222 of the Constitution, as the case may be.

Cost of Litigation

481. SHRI MISA R. GANESAN : Will the PRIME MINISTER be pleased to state :

(a) what steps have been taken to implement the recommendations of the 128th Report of The Law Commission of India on Cost of Litigation submitted to Govt. on July 1, 1988; and

(b) if the answer to part (a) above is in negative, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) (a) and (b) As the recommendations contained in 128th Report of the Law Commission of India were